

Message Text

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UNCLAS SECTION 01 OF 03 USUN NEW YORK 02149

DEPARTMENT PASS INTERIOR FOR OMSN AND OTA

HICOM PASS STATUS LNO

E.O. 11652: N/A
TAGS: PORG, UNTC, TQ
SUBJECT: 45TH SESSION OF THE TRUSTEESHIP COUNCIL (TC):
US CLOSING STATEMENTS

1. THE TC, AT PM MEETING ON MAY 24, HEARD US CLOSING
STATEMENTS BY LORENZO GUERRERO, PRESIDENT OF THE NORTHERN
MARIANAS LEGISLATURE, CONGRESS OF MICRONESIA SENATOR
BAILEY OLTOR, JUAN SABLAN, DEPUTY HICOM, AND US REPRESENTA-
TIVE STONEY COOKS. THE NEXT MEETING OF THE TC IS
SCHEDULED FOR MAY 30.

2. GUERRERO, PRESIDENT OF THE NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE, HOPED THE COUNCIL WOULD BE
RESPONSIVE TO THE SPECIAL AND SPECIFIC CONCERNS MADE
KNOWN TO IT BY THE VARIOUS PETITIONERS AND REPRESENTA-
TIVES OF MICRONESIA. RESPONDING TO SOVIET STATEMENT
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REGARDING THE SEPARATION OF THE NORTHERN MARIANAS (NMI)
FROM THE REST OF THE TTPI, HE EMPHASIZED THAT THE DECISION
TO BECOME PART OF THE US WAS MADE WITH A CLEAR
UNDERSTANDING OF "OUR POLITICAL FUTURE" AND "OUR PEOPLE
FULLY PARTICIPATED IN THE DETERMINATION OF OUR PRESENT
POLITICAL STATUS WITH THE US". HE SAID THAT THE AGREEMENT
WITH THE US HAD BEEN REACHED THROUGH THE FREE EXERCISE

BY THE PEOPLE OF THE NMI OF THEIR INHERENT RIGHTS OF SELF-DETERMINATION. GUERRERO SAID IT WOULD BE INCORRECT TO INFER THAT NMI ASSOCIATION WITH THE US WAS ESTABLISHED UNDER CONDITIONS THAT WERE CONTRARY TO THE WILL OF THE PEOPLE.

3. NOTING THAT THE NMI WAS WELL ON ITS WAY TOWARD ATTAINING FULL SELF-GOVERNMENT, GUERRERO ASKED THE TC TO RESPECT THE DECISION OF THE NMI PEOPLE IN THEIR CHOICE OF A POLITICAL STATUS IN ASSOCIATION WITH THE US. HE URGED TC MEMBERS TO CONVEY THAT REQUEST TO THE SC FOR ITS UNDERSTANDING AND SUPPORT AND URGED SPEEDY TERMINATION OF THE TRUSTEESHIP AGREEMENT. WITH RESPECT TO TITLE I WAR CLAIMS, HE ASKED THE TC TO VIEW THE CLAIMS AGAINST JAPAN AND THE U.S. UNDER THE SPIRIT OF "HUMAN RIGHTS AND MORAL COMMITMENTS" RATHER THAN UNDER "CERTAIN LEGALISTIC AGREEMENTS EXECUTED BETWEEN THOSE TWO GOVERNMENTS" AND IN WHICH THE MICRONESIANS HAD NO PART. HE SAID THE TC "IS THE LAST HOPE TOWARD THE ULTIMATE RESOLUTION" OF THIS ISSUE. HE ASKED THAT THE TC CONVEY "OUR CONCERN TO THE APPROPRIATE OFFICIALS OF THE TWO GOVERNMENTS INVOLVED." HE FINISHED BY STATING THAT THE NMI LOOKED FORWARD TO CONTINUED COOPERATION WITH ITS MICRONESIAN NEIGHBORS.

4. SENATOR OLTER DIRECTED HIS REMARKS TO THE
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"NEW QUESTIONS" THAT HAD ARISEN DURING TC SESSION. CONCURRING WITH UK STATEMENT THAT UNITY WOULD BE IN THE BEST INTERESTS OF THE MICRONESIANS AFTER TERMINATION OF THE TA, HE EXPRESSED CONCERN THAT THE DECISION ON UNITY MIGHT NOT BE TAKEN BY THE NECESSARY MAJORITY BUT MIGHT BE DEPENDENT ON SOME UNDEFINED INTERPRETATION OF THE RESULTS OF THE CONSTITUTIONAL REFERENDUM BY THE US. OR, THE DECISION COULD BE MADE "THROUGH ANOTHER UNEXPECTED CHANGE IN US POLICY SIMILAR TO THAT WHICH LED TO THE ACCEPTANCE OF SEPARATIST FACTIONS AS NEGOTIATING ENTITIES DESPITE THE EXCLUSIVE MANDATE" THAT HAD BEEN GIVEN TO THE COM. HE SAID THAT THE NEGOTIATING FORMAT HAD BEEN IMPOSED ON THE COM BY THE INFLEXIBLE POSITION TAKEN BY THE US. COM PARTICIPATION IN THE NEGOTIATIONS SHOULD NOT BE CONSTRUED AS AN ACCEPTANCE OF SEPARATIST PARTICIPATION BUT REFLECTED THE COM CONCLUSION THAT WITH THE US DETERMINED TO PROCEED ON THAT BASIS IT WAS UNAVOIDABLE. THE "UNILATERAL DECISION" BY THE US TO NEGOTIATE WITH SEPARATISTS ELEMENTS HEIGHTENED COM CONCERN THAT THE RESULTS OF THE JULY REFERENDUM MIGHT NOT BE HONORED. HE CALLED UPON THE TC AND THE US TO HONOR THE RESULTS OF A FAIR ELECTION. OLTER MENTIONED

THE NEED FOR OBSERVATION ON EBEYE AND ASKED THE TC TO URGE THE US TO MAKE EVERY EFFORT TO ENSURE THE SPEEDY RECOVERY OF THE BALLOT BOXES FROM THE OUTER ISLANDS.

5. CALLING UPON THE US TO PROMOTE MICRONESIAN ECONOMIC INDEPENDENCE, HE SAID THE US HAD NOT ATTEMPTED TO FOSTER THE KIND OF DEVELOPMENT THAT ADDED NEEDED SKILLS TO THE

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ISLANDS OR PROMOTED THE NECESSARY PHYSICAL AND PRODUCTIVE INFRASTRUCTURE. ON THE MATTER OF AN EFFICIENT SMOOTH TRANSITION, HE WELCOMED ROSENBLATT'S COMMITMENT TO THE FORMATION OF AN INTERAGENCY TASK FORCE BUT WAS "BEWILDERED BY THE CONTRADICTIONARY SIGNALS" FROM THE HICOM'S OFFICE.

6. COMMENTING ON THE HILO PRINCIPLES, HE SAID THE COM ACCEPTANCE OF PRACTICAL REALITIES WAS NOT A WAIVER OF "OUR DESIRE TO DIRECT OUR OWN AFFAIRS OR TO PARTICIPATE IN A MEANINGFUL WAY IN ALL DECISIONS". HE URGED THAT THE US ADOPT THE SUGGESTED DISPUTE SETTLEMENT PROCEDURE CONTAINED IN THE PROPOSED DRAFT COMPACT OF JUNE 1976. IF FREE ASSOCIATION IS TO HAVE MEANING, MICRONESIA MUST HAVE DIRECT PARTICIPATION IN ALL FORUMS THAT

IMPACT ON ITS TERRITORIAL SOVEREIGNTY. YET, HE SAID, THE
US REFUSED TO SPONSOR AN INDEPENDENT STATUS FOR MICRONESIA
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AT THE SOUTH PACIFIC REGIONAL FISHERIES CONFERENCE.

7. OLTER THEN REFUTED "THE FALSE AND UNCALLED FOR
STATEMENTS MADE BY THE MARSHALLS
PETITIONER, MR. DEBRUM." HE NOTED THAT DEBRUM IN HIS
ALLEGATION REFERRED TO THE MOLOKAI TALKS AND
DISREGARDED THE EFFECT OF THE NEW PROPOSALS PRESENTED
AT HILO. HE SAID THE CENTRAL GOVERNMENT WOULD NOT HAVE
COMPLETE CONTROL OVER DISTRIBUTION OF FINANCIAL AID
AND EXPLAINED CONSTITUTIONAL PROVISIONS. THE REAL
REVENUE PROBLEM WITH THE MARSHALL ISLANDS DISTRICT
RESULTED FROM A SECRETARIAL ORDER PROHIBITING ANYTHING
MORE THAN A 3 INCOME TAX ON US WORKERS IN KWAJELEIN.
UNDER THE CONSTITUTION THE LEGISLATIVE POWER REGARDING
LAND LIES EXCLUSIVELY WITH THE STATE GOVERNMENTS NOT
WITH THE CENTRAL GOVERNMENT AND THEREFORE THE FUTURE
CENTRAL GOVERNMENT WOULD NOT NEGOTIATE
EXCLUSIVE MARSHALLESE LAND RIGHTS AS ALLEGED. HE
DENIED ALLEGATIONS THAT THE VOICE OF THE MARSHALLS
WAS AN INSTRUMENT OF THE COM. HE EXPRESSED THE COM
BELIEF THAT IF MICRONESIANS TRULY UNDERSTOOD THE
ISSUES THEY WOULD VOTE FOR UNITY. HE TERMED THE
EDUCATION FOR SELF-GOVERNMENT PROGRAM (ESG) A
FAILURE DESPITE GOOD INTENTIONS. HE SAID THE US HAD NOT
FULFILLED ITS OBLIGATION IN THAT AREA AND IT HAD
BECOME THE RESPONSIBILITY OF THE COM TO SHOULDER THAT
BURDEN.

8. TURNING TO THE QUESTION OF WAR CLAIMS, OLTER SAID
THE ISSUE WAS NEARING FINAL RESOLUTION EXCEPT THAT THERE
HAD BEEN NO SATISFACTORY ACTION ON JAPAN'S PART REGARDING
ITS 50 SHARE OF TITLE I CLAIMS. ALL MICRONESIAN
PARTIES WOULD BE PAYING KEEN ATTENTION TO NOT ONLY HOW
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THE US CONTINUES TO REPRESENT THE VALID
INTERESTS OF MICRONESIA BUT ALSO HOW THE
GOVERNMENT OF JAPAN REACTS. US HANDLING
OF THIS ISSUE WILL SHOW MICRONESIANS HOW US WILL PERFORM
IN THE FUTURE IN RELATED FOREIGN AFFAIRS ISSUES.
LIKewise, JAPAN'S BEHAVIOR WILL BE IMPORTANT IN
DETERMINING MICRONESIA'S APPROACH TO FUTURE

DEALINGS WITH THAT COUNTRY.

9. NOTING THAT EVENTS IN TC WERE BEING ECLIPSED BY THE SPECIAL SESSION ON DISARMAMENT, HE SAID MICRONESIANS WERE NOT UNFAMILIAR WITH THE SUBJECT, INCLUDING NUCLEAR WEAPONS. HE SAID MICRONESIA, "VOLUNTARILY OR OTHERWISE HAS PERHAPS MADE ONE OF THE SINGLE MOST IMPORTANT CONTRIBUTIONS TO THE SECURITY INTEREST OF THE US AND THE INTERNATIONAL COMMUNITY. THE PEOPLE OF THE MARSHALL ISLANDS DISTRICT WHO HAVE BEEN DISPLACED, IRRADIATED AND MADE ILL BY NUCLEAR TESTING KNOW THE REAL HORROR OF THESE SUPPOSEDLY CIVILIZED WEAPONS."

10. SABLON, TTPI DEPUTY HICOM, ASSURED THE TC THAT EVERY COMMENT MADE DURING THE SESSION WOULD RECEIVE CAREFUL CONSIDERATION. HE UNDERScoreD THE IMPORTANCE OF THE JULY REFERENDUM. DESPITE DISAGREEMENTS DURING THE NEGOTIATIONS ONE COMMON DENOMINATOR HAD BEEN SHARED BY EVERYONE HE SAID, AND THAT WAS THAT THE FINAL DECISION REGARDING THE FUTURE OF MICRONESIA RESTED WITH THE MICRONESIANS. EXPRESSING THE DESIRE OF THE TRUST TERRITORY GOVERNMENT (TTG) TO LEAVE THE FUTURE GOVERNMENT OR GOVERNMENTS OF MICRONESIA AN EFFICIENT AND AFFORDABLE ADMINISTRATIVE STRUCTURE, HE SAID MORE ATTENTION WOULD BE FOCUSED ON THE STRUCTURE OF THE DISTRICT GOVERNMENTS. THE TTG SHARED THE CONCERN EXPRESSED IN THE TC OVER THE RATE OF PROGRESS IN THE AREA OF ECONOMIC DEVELOPMENT
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IN THE TTPI. HE SAID THE TTG WOULD WORK WITH THE CONGRESS OF MICRONESIA (COM) TO DEVELOP POLICIES AND PROGRAMS TO IMPLEMENT THE OBJECTIVES OF THE INDICATIVE DEVELOPMENT PLAN. UNDER THE PROVISIONS OF THE DRAFT CONSTITUTION, AS WELL AS THOSE OF THE VARIOUS DISTRICT CHARTERS, THE BASIC RESPONSIBILITY FOR ECONOMIC DEVELOPMENT WOULD REST MORE ON THE DISTRICT GOVERNMENTS. GREAT CARE MUST BE TAKEN TO PREVENT SETTING LONG-TERM ECONOMIC TRENDS THAT COULD LIMIT THE ABILITY OF THE DISTRICTS TO SET THEIR OWN DEVELOPMENT PROGRAMS. HE EXPRESSED THE VIEW THAT THE GREATEST CONTRIBUTION THAT COULD BE MADE BY THE TTG AND THE US WOULD BE TO PUT INTO PLACE AN INFRASTRUCTURE THAT WOULD ENABLE THE PRIVATE SECTOR TO PLAY A GREATER ROLE IN MICRONESIA'S DEVELOPMENT.

11. US REPRESENTATIVE COOKS BRIEFLY REVIEWED FOR THE UNCLASSIFIED

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RECORD THE US POSITION ON THE FUTURE OF THE TTPI AND ON THE DRAFT CONSTITUTION. HE BELIEVED THE MUTUAL INTERESTS OF THE PEOPLES OF MICRONESIA AND THE US COULD BE BEST SERVED BY AN AGREEMENT OF FREE ASSOCIATION NEGOTIATED ON THE BASIS OF THE HILO PRINCIPLES. THE STATEMENT OF PRINCIPLES WAS FREELY NEGOTIATED AND PROVIDED A SOUND BASIS FOR FURTHER NEGOTIATIONS THIS SUMMER. WITH RESPECT TO THE JULY REFERENDUM, HE SAID THE VOTING WILL CONSTITUTE A FREE EXPRESSION OF WILL ON THE PART OF THE MICRONESIANS BOTH ON THE SPECIFIC TERMS OF THE DRAFT CONSTITUTION AND ON THE ISSUE OF UNITY. COOKS SAID THE US INTENDED TO PRESERVE ITS ABSOLUTE NEUTRALITY ON THE ISSUES BEFORE THE VOTING IN THE REFERENDUM AND TO RESPECT THE OUTCOME. IN THE EVENT THE PROPOSED CONSTITUTION WAS NOT APPROVED IN PALAU AND THE MARSHALL ISLANDS, HE SAID THE US HAD BEEN ADVISED THAT CONSTITUTIONS COMPATIBLE WITH A COMPACT OF FREE ASSOCIATION INCORPORATING THE HILO PRINCIPLES WOULD

BE DRAFTED IN THOSE DISTRICTS.

12. REITERATING THE IMPORTANCE OF UN OBSERVATION OF THE JULY REFERENDUM, COOKS SAID THE US CONSIDERED THE TC TO BE THE APPROPRIATE BODY PURSUANT TO CHARTER ARTICLE 83(3) AND BECAUSE OF THE WELL-ESTABLISHED PRACTICE OF THE TC. HE STATED THE US SUPPORTED THE PROPOSAL THAT THERE BE AN OBSERVER ON EBEYE. HE THEN EXPLAINED THE REFERENDUM WOULD BE HELD IN KOSRAE, PONAPE, TRUK, YAP AND PALAU BUT NOT IN THE NMI WHICH HAD ALREADY APPROVED ITS OWN CONSTITUTION.

13. CONCERNING TITLE I WAR CLAIMS, COOKS RECALLED THE PROVISIONS OF ARTICLE III OF THE AGREEMENT BETWEEN THE US AND JAPAN THAT ALL CLAIMS AGAISNT THE LATTER WERE "FULLY UNCLASSIFIED

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AND FINALLY SETTLED" AND THAT IN THE ACCOMPANYING EXCHANGE OF NOTES THE US CONFIRMED THAT "JAPAN AND ITS NATIONALS ARE FULLY AND FINALLY DISCHARGED FOR ALL LIABILITY FOR MICRONESIAN CLAIMS FALLING UNDER ARTICLE III OF THE AGREEMENT, INCLUDING CLAIMS ARISING OUT OF THE INVOLVEMENT OF THE TT IN THE SECOND WORLD WAR." HE SAID THAT THE US DOES NOT CONSIDER THAT JAPAN IS LEGALLY OBLIGED TO PROVIDE FURTHER PAYMENT. COOKS ALSO NOTED THE STRONGLY HELD VIEW OF THE MICRONESIANS THAT FULL COMPENSATION SHOULD BE PROVIDED AND THE INTEREST OF TC MEMBERS IN THE QUESTION AND THAT THE US CONGRESS HAD EXPRESSED THE US DESIRE TO PARTICIPATE IN SUCH PAYMENT.

14. CONCERNING MICRONESIAN REPRESENTATION AT THE LAW OF THE SEA CONFERENCE, HE SAID THE US CONTINUED TO SUPPORT OBSERVER STATUS FOR MICRONESIA. CONCERNING MICRONESIAN PARTICIPATION IN THE SOUTH PACIFIC REGIONAL FISHERIES ASSOCIATION, HE SAID BASED ON THE HILO PRINCIPLES, IT WAS LOGICAL FOR THE US TO SUPPORT MICRONESIAN APPLICATIONS FOR OBSERVER OR OTHER APPROPRIATE STATUS IN APPROPRIATE INTERNATIONAL BODIES AND NEGOTIATING FORUMS. UNTIL THE RESULTS OF THE JULY REFERENDUM WERE KNOWN, HE CONSIDERED IT TO BE INAPPROPRIATE TO MAKE A FINAL DECISION ON THIS MATTER. IN CLOSING, HE SAID THE US SUPPORTED THE EFFORTS OF THE UNDP IN THE TTPI. YOUNG

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